

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

ERIC SHAWN RAY,)
v.)
Plaintiff,)
v.) **No. CIV 20-471-Raw-SPS**
KEVIN CLARDY, et al.,)
Defendants.)

OPINION AND ORDER
DENYING MOTIONS FOR APPOINTMENT OF COUNSEL

Plaintiff has filed two motions requesting the Court to appoint counsel (Dkts. 4, 35). He bears the burden of convincing the Court that his claim has sufficient merit to warrant such appointment. *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10th Cir. 1985) (citing *United States v. Masters*, 484 F.2d 1251, 1253 (10th Cir. 1973)). The Court has carefully reviewed the merits of Plaintiff's claims, the nature of factual issues raised in his allegations, and his ability to investigate crucial facts. *McCarthy*, 753 F.2d at 838 (citing *Maclin v. Freake*, 650 F.2d 885, 887-88 (7th Cir. 1981)). After considering Plaintiff's ability to present his claims and the complexity of the legal issues raised by the claims, the Court finds that appointment of counsel is not warranted. *See Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991); *see also Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995).

ACCORDINGLY, Plaintiff's motions for appointment of counsel (Dkts. 4, 35) are DENIED.

IT IS SO ORDERED this 20th day of April 2021.



Ronald A. White
United States District Judge
Eastern District of Oklahoma